

State of Michigan
Attorney Discipline Board

FILED
ATTORNEY DISCIPLINE BOARD
17 FEB 28 PM 3:52

Grievance Administrator,
Michigan Attorney Grievance Commission,

Petitioner,

Case No. 17-16-GA

v

Gail M. O'Brien, P36952,

Respondent.

Formal Complaint

(Parties and Jurisdiction)

1. Petitioner, Grievance Administrator, is authorized by MCR 9.109(B)(6) to prosecute this Formal Complaint by the Attorney Grievance Commission, which is the prosecution arm of the Supreme Court for the discharge of its constitutional responsibility to supervise and discipline Michigan attorneys.

2. As a licensed Michigan attorney, Respondent Gail O'Brien is subject to the jurisdiction of the Supreme Court and the Attorney Discipline Board as set forth in MCR 9.104.

3. Michigan attorneys have a duty to conduct themselves personally and professionally at all times in conformity with the standards imposed on members of the bar as a condition of the privilege to practice law.

4. Respondent is a Michigan attorney who was licensed in 1984 and who has her place of business in the County of Wayne.

(Factual Allegations)

5. On or about June 23, 2015, Respondent went to visit her son, Connor J. O'Brien (hereafter "Connor"), who was in jail following an arrest.

6. Prior to the jail visit, Connor had told Respondent in a telephone conversation that he was suffering from anxiety and asked her to bring his medication for anxiety.

7. At the time that Respondent went to see her son in jail, she gave him one pill which was made from a controlled substance.

8. Respondent had not obtained permission from the jail or other authority to provide the medication to Connor.

(Grounds for Discipline)

9. By reason of the conduct described above in this Formal Complaint, Respondent has committed the following misconduct and is subject to discipline under MCR 9.104, as follows:

- a) engaged in conduct prejudicial to the administration of justice, in violation of MCR 9.104(1);
- b) engaged in conduct that exposes the legal profession or the court to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2);
- c) engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); and,
- d) violated or attempted to violate the rules of professional conduct, knowingly assist or induce another to do so, or do so through the acts of another, in violation of MRPC 8.4(a)

Wherefore, Respondent should be subjected to such discipline as may be warranted by the facts or circumstances of such misconduct.

Dated: February 28, 2017



Alan M. Gershel, P29652
Grievance Administrator
Attorney Grievance Commission
535 Griswold, Suite 1700
Detroit, MI 48226
(313) 961-6585

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Discovery Demand


As permitted by MCR 9.115(F)(4), Petitioner makes the following demand for discovery:

1) Copies of all documentary evidence to be introduced at the hearing, or access to such documentary evidence so that it can be inspected and copied, in accordance with MCR 9.115(F)(4)(a); and,

2) The names and addresses of any persons to be called as witnesses at the hearing, in accordance with MCR 9.115(F)(4)(a)(i).

Under MCR 9.115(F)(4)(c), your failure to comply timely with the above demands may subject you to one or more of the sanctions set forth in MCR 2.313(B)(2)(a)-(c).

Dated: February 28, 2017


Cynthia C. Bullington, P33989
Assistant Deputy Administrator
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